

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,)	CRIMINAL ACTION NO.
)	
Plaintiff,)	3:17-CR-00414-N-1
)	
v.)	
)	
KAMYAR JAHANRAKHSAN,)	
)	
Defendant.)	
)	

REQUEST FOR INTERNATIONAL ASSISTANCE (LETTER ROGATORY)

The United States District Court for the Northern District of Texas presents its greetings to the judicial authority of the Republic of India and requests international judicial assistance to obtain evidence to be used in a criminal proceeding before this Court in the above-captioned matter. **The criminal trial is set for February 1, 2019.**

The assistance requested is made in the interest of justice and is requested that the appropriate authority of the Republic of India compel the appearance of the below named individual to give evidence and provide documents, under oath.

A. Identity and Address of Witness

Nanjunda BS
311 8th Block, Jayanagar
Bengaluru, Karnataka 560070, India
91 80671 51202

B. Person to Whom the Executed Request is to be Returned and Deadline for Return

The executed request should be returned as expeditiously as possible to:

Honorable David C. Godbey
1100 Commerce Street, Room 1504
Dallas, Texas 75242
United States of America
1-214-753-2700

C. Facts of the Case

The Request for International Assistance is related to a criminal proceeding currently pending against Kamyar Jahanrakhshan in the United States District Court for the Northern District of Texas. Mr. Jahanrakhshan is charged in a one count indictment with violating 18 U.S.C. § 1030(a)(5)(A) and 18 U.S.C. § 1030(c)(4)(A)(i)(I) and (B) by knowingly causing the transmission of a command to a protected computer.

Of particular relevance to this request for assistance, Mr. Jahanrakhshan is charged with launching a Denial of Service (D-DoS) attack on the website leagle.com. Infocon International, Ltd. ("Infocon") provides technical support to leagle.com. It is alleged that Infocon spent numerous hours responding to this alleged D-DoS attack and, as a result, Mr. Jahanrakhshan caused "loss" or "damage." Mr. Nanjunda is leagle.com's point of contact, and it alleged that Mr. Nanjunda himself spent numerous hours on the alleged D-DoS attack.

D. Assistance Requested

The United States District Court for the Northern District of Texas requests that the appropriate judicial authority designated to execute this letter rogatory assist in the compelling of testimony and the production of documents. To obtain the testimony of the above named witness, this Court respectfully requests an order from the appropriate judicial authority directing the above named witness to testify under oath at a deposition before an Assistant United States Attorney and an attorney for Kamyar Jahanrakhshan; to have the testimony recorded for possible use at the trial of Mr. Jahanrakhshan; and to produce documents for review and copying

by the Assistant United States attorney and counsel for the defendant. A deposition is a procedure utilized in the United States to take the testimony under oath and the penalties of perjury that would be recorded and transcribed for possible use at trial. The use of a recorded deposition would obviate the need for the witness's physical appearance in the United States. Rather than requesting the witness's presence in the United States, both the prosecutor and the defense attorney would travel to India. Mr. Jahanrakhshan's attorney and the Assistant United States Attorney would have an opportunity to ask questions of the witness (using the assistance of an interpreter if needed). A court reporter would record the testimony in written form. The parties are then permitted to request to use the transcript of the testimony during the trial of Kamyar Jahanrakhshan, which will occur in the United States. The deposition procedure enables the attorneys to ask questions of the witness under oath and to ensure that there is a possibility that the testimony he offers is admissible in further proceedings at trial.

In connection with this procedure, this Court respectfully requests permission from the appropriate judicial authority that the Assistant United States Attorney and the attorney for Kamyar Jahanrakhshan to attend and participate in the proceedings. This Court also respectfully requests that the witness be placed under oath prior to testifying, and that a court reporter be granted permission to take down a verbatim transcript of the testimony. This Court also respectfully requests that the witness be compelled to produce documents for inspection, review, and copying by the Assistant United States Attorney and the attorney for Kamyar Jahanrakhshan. The documents requested are:

All documents reflecting time spent and/or activities engaged in with relation to any D-DoS attack on the leagle.com website for the time period including December 2014-January 2015.

E. Reciprocity


This Court appreciates the appropriate judicial authority's assistance in obtaining evidence in this matter. This Court is willing to provide similar assistance to judicial authorities in the Republic of India should such assistance be requested.

F. Reimbursement of Fees and Costs

Defendant is willing to reimburse the appropriate authority of the Republic of India for costs incurred in executing this letter rogatory. Any such request for reimbursement should be sent to the following address:

Broden & Mickelsen
2600 State Street
Dallas, Texas 75204

DATED October 24, 2018



DAVID C. GODBEY
United States District Court Judge